

The Westfield-Washington Township Advisory Plan Commission met at 7:00 p.m. on Monday, January 23, 2006 at Westfield Town Hall. Members present were Jack Hart, Bob Horkay, Ginny Kelleher, Brian Morales, Bill Sanders, Bob Smith, Cindy Spoljaric, and Carolyn Stevenson. Also present were Kevin Buchheit, Al Salzman, Kevin Todd, Tom Higgins, and Attorney Brian Zaiger.

Amendment to By Laws:

Buchheit presented two changes to the Advisory Plan Commission By-Laws under Articles III and XII.

Skelton moved to accept the Amendment to the By Laws.

Sanders seconded, and the motion passed by voice vote.

Election of Officers:

Kelleher nominated Horkay as President.

Hart seconded, and the nomination passed by voice vote.

Sanders nominated Kelleher as Vice President.

Spoljaric seconded, and the nomination passed by voice vote.

Horkay appointed Sanders to Board of Zoning Appeals.

The appointment passed by voice vote.

Committees:

Horkay appointed Skelton to the Standards Committee.

Horkay appointed Hart to the Comprehensive Plan Committee.

Appointments passed by voice vote.

Todd reviewed the Public Hearing Rules and Procedures.

CONTINUANCES

Salzman stated 0511-REZ-05 has been heard by the Council and Council requested several changes and has asked the petitioner to return for a second consideration. Therefore, the petitioner will not be proceeding to Plan Commission at this time.

Salzman stated that 0512-DP-38 and 0512-SIT-29 will appear on the Plan Commission agenda for next month as the petitioner felt the need for additional time to provide additional information to staff.

NEW BUSINESS

0601-PUD-01 3510 East 151st Street. Rezoning of three acres from the SF-2 District to the Bridgewater PUD is requested by Throgmartin-Henke Development LLP.

Mr. Don Carise, Director of Development of the Bridgewater Club and Throgmartin-Henke Development, presented the details of the project stating that this parcel was anticipated in the original Bridgewater PUD to be part of the overall Bridgewater PUD development. He also stated this three-acre tract is next to Section H, which is a seven-acre tract, and the intent in the original PUD was for this to be incorporated into Section H making it a ten-acre tract, at the discretion of the developer when they were ready. Carise asked that the Commission suspend the rules to be sent to Committee; this item will go back to the Town Council for reading.

Kelleher reiterated that the staff report stated there would be no additional number of residences added; these acres will simply be added to this parcel.

Carise confirmed Kelleher's statement.

Spoljaric asked what kind of structures would be on the property.

Carise answered the homes will be low maintenance in the neighborhood of 65-70 foot wide lots, 130 feet deep, lots ranging from \$150,000 to \$200,000 price range, and homes from \$700,000 to \$1,000,000.

A Public Hearing opened at 7:25 p.m.

No one spoke, and the Public Hearing closed at 7:26 p.m.

Kelleher moved to suspend the rules.

Hart seconded, and the motion passed by voice vote.

Carise stated an additional request in that Council, in preparing public notice, realized that within the Westfield ordinances, the requirements is to notify all residences within either two lots or 660 feet of all property owned in Westfield by the developer. He further stated in this case 476 certified letters were sent which took an immense amount of staff time and money, stating this is a burden and asking that it be waived for the future. Therefore, the request is that for future notification within the Bridgewater development, send certified letters to the 660 feet or two property owners for the subject property, and regular mail for all other people, as well as sending out public notice via newspapers and neighborhood association meetings.

Zaiger suggested if the Commission is inclined to accept this, that the following verbiage be added, "but in no case anything less than what is required by State Statute."

Kelleher moved to recommend to Town Council approval of the rezone request for 0601-PUD-01.

Sanders seconded, and the motion passed unanimously.

0601-PUD-02 1150 East 151st Street. Proposed text amendment to the Centennial North PUD ordinance to correct errors in Section A of the Development Standards table, requested by Estridge Development Company, Inc.

Mr. Bryan Stumpf, Estridge Companies, presented the details of the text amendment, stating this was a Scribner's error and that during fine tuning of the primary plat and development plan, Section 1, it was realized there was a typo in the living square footage for the Village Collection Homes. He stated that in the PUD Ordinance for Centennial North, the Village Collection Homes living space is a minimum of 1,750, square feet for a one story, and 2,180 square feet for a two story, which was the square footage for building permits rather than total square footage. Therefore, Stumpf stated that the change is 1,340 square feet for a one story and 1,760 for a two story and requested that the Commission suspend the rules in terms of going to subcommittee since this is relatively straight forward.

A Public Hearing opened at 7:35 p.m.

No one spoke, and the Public Hearing closed at 7:36 p.m.

Kelleher moved to suspend the rules on 0601-PUD-02 to not send the petition to subcommittee.

Stevenson seconded, and the motion passed by voice vote.

Kelleher moved to recommend to Town Council approval of the changes to the PUD in 0601-PUD-02.

Skelton seconded, and the motion passed unanimously.

OLD BUSINESS

0506-PUD-02 4400 East 186th Street. Rezone of 115.28 acres from SF-2 to PUD, by Greystone Development.

Mr. Jim Shinaver, Nelson Frankenberger, introduced Sheldon Phelps, Ann Thorvick, and Dan Shiffour of Graystone Development, and Randy McNutt, Lord of Life Lutheran Church. Shinaver explained the details of the rezone request and gave some history on the project. Shinaver stated this project has been before the Comprehensive Plan Review Committee on eight occasions and the project has changed substantially from the original proposal which is what will be reviewed tonight. He also stated they have made many changes including reducing density, increasing architectural standards, enhancing buffering and landscaping, enhancing the amenity package, and reducing fiscal impact and traffic impacts of the project. He stated Graystone Development is seeking to rezone the 117 acres to the Andover North PUD ordinance which will include parcels designated for a religious institution use, single family products, single family detached products and a lengthy and unprecedented amenity package. Shinaver reviewed the overall general changes including the reduction in the number of units, reduction of overall density, increase in amenity areas, green space commitments, and overall pricing of units.

Phelps presented the concept plan, conceptual layout, and changes included since the original proposal. He also touched on some of the concerns previous stated in Committee.

Horkay asked for Committee Reports to be presented at this point since they related to this project.

Stevenson stated the Committee's concern regarding the alley fed product, building separation, and building materials. She stated they also expressed concern about the density and still feels this is an issue.

DelGreco stated concern about the church's green space being included and the fact that nothing guarantees that the church will remain a church in the future. Therefore, she does not feel the inclusion of the ball diamond and soccer field as green space is valid because these may not stay as part of the development's green space in the future. She believes if they put in enough green space to make it appealing, the density can be worked out, but not enough amenities.

Mr. Ron Thomas stated many concerns including the fact that the PUD text never addressed the width of the easements or the use of the easements. Thomas also stated the retention ponds should not be included as part of a lot. Overall, Thomas feels there are too many downgrades from our standards including distance between buildings, building height, and smaller lot sizes. He agrees they do have an extensive list of amenities they are willing to commit to. He also expressed concern regarding the church having control over the green space where they are planning the soccer fields, etc., stating the Committee wanted a commitment that this will remain green space, but in the future, in reality, the church could build on that property and remove the green space.

Kelleher (one hour)

Skelton asked for confirmation that the church is not willing to make any commitment as far as the future use of the land.

Shinaver responded to Skelton's question about the church's plans saying that the PUD specifically states that the church parcel can only be used for religious types of uses. He stated, therefore, they would have to come in for a text amendment to the original PUD to change the religious use. Shinaver reintroduced McNutt to discuss the intent of the church and their plans for the future.

Phelps stated that text had been added to the ordinance stating that 25% of the total acreage would be green space regardless of where within the project it was proposed. He also stated that if the church grew and decided to build on the open space, the developer would have to make it up elsewhere.

McNutt, Lord of Life, spoke about the plans for the church. He explained the church's definition of "control" of the green space stating they have no intention of building a larger church building.

Skelton asked for confirmation on the building separation distance.

Phelps confirmed twelve feet, but if less than twenty feet, that is when the upgraded materials are required.

A Public Hearing opened at 8:40 p.m.

Mr. Robert Moran spoke of his concerns regarding density, use of the church property as part of the design, and buffering.

Mr. Bob Curry spoke of his concerns regarding the mobile home park in the area, the density, George Booth Drain, and the fact that he does not believe the requirements of a PUD are being met.

Mr. Mic Mead spoke against the project.

Thomas spoke in order to clarify that in Exhibit 5, the Table showing lot width sizes, minimum sizes, for example, a 50 foot lot could be decreased by 10% according to Section 7 of the text. Maximums can also be increased by 10% through that same statement. Therefore, a 6,500 square lot is not necessarily a 6,500 sq. ft. lot, and a 50-foot lot is not necessarily a 50-foot lot.

DelGreco spoke in order to clarify that the discussion on the church's green space and how the neighbors would help control it; however, the neighbors around this development have had very little ability to control what's going on, and she doesn't see how this is a guarantee that his neighborhood will control this green space as well.

The Public Hearing closed at 8:55 p.m.

Shinaver responded to Public Hearing comments.

Phelps responded to Public Hearing comments.

This item will go back to Committee on February 8, 2006 at 7:00 p.m.

Buchheit suggested any further specific details any of the Plan Commissioners would like to see to get them to staff by Friday, January 27, in order for staff to get them to the petitioner for them to be addressed before the next committee meeting.

Kelleher moved to send 0506-PUD-02 back to Committee and to reappear at the February Plan Commission Meeting.

Stevenson seconded, and the motion passed by voice vote (6-2) (Spoljaric and Sanders).

NEW BUSINESS

0512-DP-37 & 1778 Sun Park Drive. Development Plan and Site Plan Review of a
0512-SIT-28 proposed new 7,500 square foot industrial structure on 1.52 acres
in the EI District is requested by Hittle Landscaping.

Mr. Scott Eiker, Design & Build Corporation, presented the details of the project which is a building addition with the same building materials, same color, and matches buildings in the surrounding area. He stated the use is to house existing trucks which are currently parked outside.

Kelleher asked about exterior lighting.

Eiker responded there are wall packs on the outside of the building which have shields on them. He also stated he will do a photometric and a cut sheet of the lights.

A Public Hearing opened at 9:50 p.m.

No one spoke, and the Public Hearing closed at 9:51 p.m.

Kelleher moved to approve 0512-DP-37 with the following conditions:

1. That the petitioner complies with any requirements from the Westfield Public Works Department; and,
2. That the petitioner complies with any requirements from the Hamilton County Surveyor's Office; and,
3. That the petitioner submits a compliant lighting plan to staff.

Sanders seconded, and the motion passed unanimously.

Sanders moved to approve 0512-SIT-28 with the following condition:

- That any conditions of the associated Development Plan Review (0512-DP-37) be satisfied prior to the issuance of an Improvement Location Permit for the subject site.

Kelleher seconded, and the motion passed unanimously.

Buchheit reminded everyone about the Comp Plan Steering Committee meeting on Wednesday, January 25, 2006 at Oak Trace Elementary School, where Randall Arhndt will be speaking.

Buchheit confirmed DelGreco's continued appointment to the Comp Plan Committee and Plankis' continued appointment to the Standards Committee.

The meeting adjourned at 9:56 p.m.

President

Secretary